

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

GERARD DUENAS, HAROLD GOLDMAN,

Plaintiff,

vs.

STEVEN FREITAS, AKA STEVE  
FREITAS, in his Official and Private  
Capacity, SONOMA COUNTY SHERIFF'S  
DEPARTMENT, KATHRYN STRALEY in  
her official and private capacity, DEUTSCHE  
BANK, NATIONAL TRUST COMPANY,  
MICHAEL S. AND MARY C.  
BASKAUSKAS, DOES 1-  
15, Inclusive,

Defendants.

Case No: C 13-0836 SBA

**ORDER STRIKING PLAINTIFFS'  
OVERSIZED OPPOSITION BRIEF**

Plaintiffs have filed a thirty-page opposition to Defendants' motion to dismiss. Dkt. 27. Under this Court's Standing Orders, the maximum page limit for motions and oppositions thereto is fifteen pages. Dkt. 9 at 5. The Court reiterated this page limit in its Order filed on May 30, 2013 which sua sponte granted Plaintiffs additional time to file their opposition. Dkt. 26.


The Standing Orders provide that any brief filed "in an improper manner or form shall not be received or considered by the Court." Id.; see Swanson v. U.S. Forest Serv., 87 F.3d 339, 345 (9th Cir. 1996) (courts have discretion to strike oversized briefs). Accordingly,

---

1 IT IS HEREBY ORDERED THAT Plaintiffs' opposition brief (Dkt. 27) is  
2 STRICKEN from the record. Plaintiffs shall have until June 14, 2013 to refile their  
3 opposition in conformity with the Court's Standing Orders. Plaintiffs' response is limited  
4 to fifteen (15) pages and shall comply in all respects with the Federal Rules of Civil  
5 Procedure and the Court's Civil Local Rules including, without limitation, Civil Local  
6 Rules 7-3 through 7-5. **PLAINTIFFS ARE WARNED THAT THE FAILURE TO**  
7 **FILE A RESPONSE BY THIS DEADLINE AND/OR TO COMPLY WITH THIS**  
8 **ORDER OR ANY OTHER APPLICABLE PROCEDURAL RULES WILL RESULT**  
9 **IN THE GRANTING OF THE PENDING MOTION AND THE DISMISSAL OF**  
10 **THIS ACTION.** In the event Plaintiffs timely file a response, Defendant may file a reply  
11 seven days after the deadline for Plaintiffs' response.

12 IT IS SO ORDERED.

13 Dated: June 7, 2013

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge